Sectt. II-27—20,006—16-11-40

Public (War) (1941) Department.

SERIES.

M5

G.O. No. 1495

Dated 21- 7 - 1941

[Despatch Abstract.]

er - Defence of India Rules - Rules 76 and 79 - Power to requisition buildings and premises and lands - District Magistrate of Bellary empowered to exercise.

Copy of Confidential Reference No.B/E.1293/37-31 dated 28-6-41 from the Board of Revenue.

LAND ACQUISITION - (Bellary) - Bellary taluk and town - S.Nos.665-B-6 etc. - For the R.A.F. landing ground - Draft notification under Section 4 (1) and draft declaration under Section 6 with the urgency clauses - Proposals.

READ the following:-

Letter from A.D. Crombie, Esq., C.I.E., I.C.S., Collector of Bellary, R.D.S.No.1612/40 A.7, dated 8-6-1941.

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REFERENCE.

below — Submitted to the Government. A copy of the Collector's report is enclosed.

not put up — 2. The Collector of Bellary has submitted a draft notification and draft declaration with the urgency clauses in respect of an extent of acres 9.35 cents. The urgency provisions of the Land Acquisition Act cannot be invoked in this case, as one of the lands - which measures Acs.8.50 - contains a small farm house. The Board therefore considers that this is eminently a case for action under rules 76 & 79 of the Defence of India Rules. It accordingly requests that the powers under rules 76 and 79 of the Defence of India Rules may be delegated to the Collector of Bellary; In this connection the Board invites the attention of Government to G.O.No.1117 (S-53), Public (War) dept. dated 27-5-1941 in which powers under rule 79 of the Rules under the Defence of India Act have already been delegated to some Collectors.

Pp E 7-88 & 89-90 of the book (not put up)

not put up — As, according to para 4, ~~iii~~ ii (b) of the note on the acquisition appended to the letter of the Government of India, Defence Co-ordination Department communicated with Government, Revenue Department Memorandum No.1947-G/41-1 dated 5th June 1941 simultaneous proceedings under the land Acquisition Act have also to be proceeded with, the draft notification may also be approved early.

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Copy of letter from A.D. Crombie, Esq., C.I.E., I.C.S., Collector of Bellary, R.Dis.No.1612/40 A7 dated 8-6-1941 to the Secretary to the Board of Revenue, Madras.

LAND ACQUISITION - (Bellary) - Taluk and town - S. Nos.665-B-6, B-7 and B-8, 666 B ~~and 668 B~~ and 668-B2 for the R.A.F. Landing ground - Draft notification and declaration submitted.

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do — Ref: Board's Ref.B/E No.1293/37-23 dated 8-11-40.

do — In their Memorandum No.2910 G/40-2, dated 28-10-40 communicated with the Board's Reference cited above the Government have approved the proposal of the Military Estates Officer, Madras Circle, Bangalore to acquire the private holdings mentioned above for the R.A.F. landing ground. The draft notification under Section 4 (1) and the draft declaration under Section 6 of the Land Acquisition Act in English and Kannada are submitted herewith for approval and publication in the official gazettes. The urgency clause under section 17 of the Act has been retained in them as the Military Estates Officer.

wants the lands urgently. There are no tombs or grave yards on the lands. There is a small farm house in S.No.665-B-8 which is vacant and is used only during the harvest season. The lands are all arable.

2. In their letter No.2910-G/40-6, Revenue Department, dated 19-4-41, the Government have made a reference to the General Officer, Commanding in-Chief, Southern Command, Poona for obtaining the sanction of the Government of India for providing funds for the acquisition of the lands.

/True Copy/

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Revenue Department.

(C.No.2223 G/41)

Land Acquisition - (Bellary) - Bellary taluk and town - S.Nos.665-B-6 etc. - for the R.A.F. landing ground - Draft notification under section 4 (1) and draft declaration under section 6 with the urgency clauses - Proposals.

C.F

From the Bd. of Rev. Confdl.B.E.1293/37-31 d.28-6-41.

To U.S.

Please see the reference from the Board of Revenue and the enclosures to it in the CF. The military authorities desired that no buildings or other erections that might cause obstruction to the landing ground in Bellary should be permitted within the area covered by the landing ground and the 200 yds. margin all round it. Private holdings to the extent of 9.35 acres lay within this area. This Govt. suggested that the private holdings might be acquired.. The military authorities agreed to the proposal and obtained the sanction of the Govt. of India for the acquisition of the private holdings. The cost of acquisition was finally estimated ~~by~~ by this Govt. at Rs.771/- and the Govt. of India have sanctioned this amount.

2. The lands are required for R.A.F. landing ~~xxxx~~ ground. "Air craft and air navigation etc." is a subject allotted to P.W.D. and under instruction No.83 of the Business Rules and Secretariat Instructions the notification in question under the Land Acquisition Act should issue in that department. The question whether powers under rules 76 and 79 of the Defence of India Rules should be delegated to the Collector of Bellary is one for Public (War) to consider. The file may therefore be transferred to P.W.D. for disposal in consultation with Public (War).

G.K.M.
1-7-41.
P.K.
2-7-41.

M 87-88 + 89-90 of the book (mss portion)

A

The Govt. of India have separatel

proposed to confer powers under the chief Defence of India Rules for requisitioning purposes on all Collrs.

A.J.P.
3-7-41.

A.R.C.W.
4-7-41.

Draft.

D.D.W.
5-7-41.

Public Works Department.

A draft order approving the notification under section 4 (1) of the L.A. Act is submitted which may issue after perusal by the Public (War) Department. That Deptt. have to take action with reference to A.on page 1 ante.

T.N.N.
9-7-41.

D.D.W.
9-7-41.

Public (War) Department.

Please see the Board's reference on pp.1-2 CF. and the notes above. Land acquisition proceedings are being taken. Presumably the lands are required as a permanent arrangement with the right of ownership.

In the circumstances stated by the Board it is for orders whether powers under rules 76 & 79 of the Defence of India Rules may be delegated to the D.M. of Bellary. If the delegation may be made necessary extracts from this file may be taken for separate action and this returned to the P.W.D. for the issue of the draft below.

S.S.
10-7-41.

D.J.
12-7-41.

The ~~proceos~~ powers under rules 76 & 79 may be

LD 187. 41.

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C. No 21.791.A/41

delegated to D.M.

A.H.S.
14-7-41.

A draft order is submitted for approval.

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19.7.

33-34
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Public (War) Department

C.F.17.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ...		
When copied ...		WN 23/7
When examined...		
When signed ..		
When despatched.		

SUBJECT:—

War - D.O.I.Rules - Rules 76 & 79 - Power to requisition buildings and premises and lands - D.M. of Bellary empowered to exercise.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No._____ From the _____, No._____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / ~~Resolution~~ Ms. / ~~Rout.~~ No. 1695, dated 21-7- 1941.

Immy

The following notification will be published in the Fort St. George ~~Gazette~~ Gazette:-

Notification

In exercise of the powers conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (XXXV of 1939) H.E. the Governor of Madras is hereby pleased to direct that the powers conferred on the Provl. Govt. by rules 76 and 79 of the Defence of India Rules shall be exercisable also by the D.M. of Bellary

16/7

17.7

To

The S.G.P. for publication of the notification.
The D.M. of Bellary
The Rev. Dept.
The P.W.D.
Copy to the I.G. of Police, Madras
" Govt. of India, Defence Coordination Dept (with C.L)

Memo. No. [illegible] dated 1941.

Books and Publications - Consolidated Statement showing delegation of powers ~~xx~~ made by Central and Provl. Govts. under D.O.I.Rules - Addendum - Issued.

On page 14 of the statement

(1) after the entries relating to rule 76, the following entries shall be inserted, namely:-

"76	Govt. of Madras	D.M. of Bellary	-----	G.O. No. [illegible] Pub (War) dated [illegible] 1941."

and

(2) after the entries relating to rule 79 the following entries shall be inserted, namely:-

"79	Govt. of Madras	D.M. of Bellary	-----	G.O. No. [illegible] Pub (War), dated [illegible] -1941."

16/7

17.7

To

the Secretariat Library (6 copies)
the Depts. of the Sectt. except Finance & Pub. (1 each)
the P.S.G. (2 copies)
the P.Cs to Advisers (4 copies)